

UNAPPROVED

Inland Wetlands & Watercourses Commission - Public Meeting/Public Hearing, October 21, 2015

The Inland Wetlands & Watercourses Commission held a Public Meeting/Public Hearing on Wednesday, October 21, 2015 at 7:30 P.M. in the Town Council Chambers, Town Hall, 505 Silas Deane Highway, Wethersfield, CT 06109.

Members Present:

Louis Sanzaro, Chairman
Brent Owen, Vice Chairman
James Kulpa
David Ambrose
Lawrence Buck
Brian DiCoccio
David Herold

Also Present: Don Moisa IWWC Agent
Linda Messina Recording Secretary

17 Persons in the audience

Chairman Sanzaro opened the meeting at 7:31 pm

GENERAL COMMENTS

Mr. Bob Woodward of 456 Middletown Ave. asked if the Commission would take questions and comments after the presentation.

Chairman Sanzaro stated that typically, they do not take questions, but they can make this informal and they will take questions/comments.

PUBLICHEARING

Application No. 664-15 E/S Frank Dibacco, CCC Construction LLC Back La. Parcel #042016 & 043011 Application for a 22 Lot subdivision, new roads, storm water systems, sanitary sewer and public water systems.

Don Moisa read the legal notice information that appeared in the Hartford Courant on October 8th and October 15, 2015. Letters were sent to abutting property owners. Also, documents submitted are an On-site Investigation Report from REMA Ecological Services dated August 18, 2015, and Drainage Computations for Reservoir Estates Back Lane prepared for CCC Construction, LLC dated October 8, 2015, by Dutton Associates, and a memo from Mike Turner, Director of Public Works, Town Engineer, to Don Moisa, dated October 16, 2015.

Frank Dibacco of CCC Construction introduced two associates. They are proposing 22 homes and they would like to connect Back Lane to Old Reservoir Road. They have been working with staff on how to make this a viable project for emergency purposes, fire, police, and multiple ways of egress, and this is the solution they have come up with.

John Martucci, Licensed Engineer, of Dutton Associates, 67 Eastern Boulevard, Glastonbury, represented the applicant. This is a 22 lot subdivision. They have a 16 acre parcel with 5 acres of wetlands. There is 4,200 square feet of wetlands impacted. There is a required open space of 25%. They have proposed open space of 38%. The minimum upland area required in the open space is 50% and they have 28% of their open space as upland areas. That is 87.7% of the minimum required. On the plan presented, there are conservation easements, but he believes they are still working out the details with Town staff.

The proposed total road length of paved road with curbs is 1,476 linear feet. The main road is 30 feet wide. There will be two cul de sacs that are proposed to be 24 feet wide. There are two new storm drain systems proposed – the southern one takes care of the southern half of the drainage and outlets to a water quality basin in the south and the northern half drains to a northerly water quality basin on the north. There is an existing 30” storm drain that comes down from Back Lane. They are revising the lower portion of that 30” storm drain to keep it separated from the subdivision’s drainage so they can treat all the runoff from their subdivision in the water quality unit without having to deal with a 30” trunk line.

George Logan, Soil Wetland Scientist (RGMA), REMA Ecological Services, LLC, 164 East Center Street, Suite 2, Manchester, submitted a Wetlands Assessment & Impact Analysis Report dated October 21, 2015 and a copy of his professional resume for the record.

Mr. Logan displayed Figure 2 from his report showing a 2012 MDC aerial photo which he had overlaid the wetland boundary.

Mr. Logan also discussed the five different wetland areas (Wetlands A-E). There is detailed information about each wetland in his report.

Wetland A is part of a very large local wetlands which includes Griswold Reservoir (1860 Reservoir). It is quite diverse and valuable and regionally important.

Referring to the report and aerial photos from 1934 and the 1952 soil survey Mr. Logan explained that Wetlands A was contiguous to Wetland B and was contiguous to Wetland D & most likely contiguous to Wetland C.

Since that time sewer trunk lines were put into place and there was a significant amount of fill placed prior to the ratification of the wetlands act in 1972.

Wetland B is a hillside wetland with active seep (most of the year). It's isolated. There was water in the manmade ditch.

There will be a major impact to Wetland C as part of this application impacting 3,942 S. F. or 0.09 Ac.. It is the edge of a pre-existing swamp. It has been filled. It has become wetter because of the fill. There are no vernal pools.

Wetland D is flat and poorly drained. It is fairly diverse. There was fill placed around it during sewer construction and the fill goes into the wetlands 15 to 20 feet. Due to lack of maintenance, the ditch has clogged up. There is a culvert there that over the years has filled in and is running at less than 1/3 of its capacity.

Wetland E this is a minor hillside wetland. There is some water ponding on the left side.

Each of these Wetlands areas has a detailed description in the report.

There are small impacts proposed on Lots 16 and 22. The applicant is proposing to fill in wetlands to create 30' of rear yard. Together, they are about 1,492 square feet. It is close to the active seep but not on top of it. They have offset this impact by proposing to create twice as much wetlands. They will remove fill placed in the wetlands and create 10,000 square feet of wetlands. A detailed plan was submitted in his report. Photos of other wetland mitigation examples were submitted.

Mr. Logan discussed water quality. His firm does a lot of water quality analyses. The goal is to clean the water as much as possible before it leaves their site and enters surface waters or they might not get the general permit registration from DEEP. They used the DEEP 2004 water quality manual as guidance for their design. They are taking in, retaining, and treating the water quality volume, which is defined as the runoff generated by 1" storm over the contributing areas. They propose to create a larger sediment floor base than required. The water quality in the system is Class A, and there is an anti-degradation clause in statutes that says your water quality should not be less than Class A.

With these water quality units in place they are reasonably confident that they would not contribute to water quality degradation.

Commissioner Sanzaro opened up the meeting to general public

Mark Pappa, 55 Black Birch Road, asked several questions. Where are the 50' and 100' buffer zones?

Mr. Logan pointed the area out on the map and stated that they have some proposed conservation easements, but they are still in discussion with the town.

Mr. Pappa asked them to point out on the map where the land conservation easement is that they are going to have to apply for in an area that's eventually going to be granted from Wilkus Farm.

Mr. Pappa asked where the conservation or conserved lands are going to be.

Mr. Logan pointed the areas out.

Commissioner Buck stated that Wethersfield does not have regulated setback and as a result the policy has been to require adequate outdoor living space be provided outside of the wetlands for any house that is proposed. That was mentioned at the previous meeting. He is shocked to discover that the adequate living space is being obtained by filling in the wetlands rather than moving the houses. In his opinion, they are not providing outdoor living space outside of the wetlands.

Regarding Mr. Logan's discussion about water quality basins, the Town Engineer requested that they be removed and replaced by structural sediment management systems. This is a major conflict at this point.

Mr. Dibacco responded regarding Lots 13, 16, 17, and 22 – Depending on the homeowner, they can design the homes on the lots in question so that they fit the lots and bring the plans back to the Commission for approval on an individual basis.

Commissioner Buck stated that the concept is great, but he would have more confidence if he had a plan before approving the whole subdivision and more comfortable talking about an encroachment into a buffer area rather than an encroachment into a wetland.

Mr. Logan stated that from a regulatory perspective, they are at risk if they have to go to DEEP for their general permit and they are required to put back the water quality basins. The town is trying to get away from having to service these structures because it is expensive to service water quality structures. The applicant is willing to front load the catch basins with deeper structures. The longevity maintenance-free is extended to 25 or 30 years. If they just put in soil concentrators, there are several issues. They will be quite deep so they will need more cover which could change the dynamics and hydrodynamic separators. The hydrodynamic separators don't take out 80% solids - it's only 50-60%. They don't take out soluble fraction constituent. According to DEEP hydrodynamic separators are considered secondary and vegetated water qualities are considered primary.

Mr. Dibacco stated that they did meet with staff on Monday and discussed that. The biggest concern was the maintenance. There really will be no maintenance unless trees or branches fall into the area. If this happens, the cleanup could be a Boy Scout Eagle project.

Commissioner Kulpa had several questions: Will water quality basins be planted?

Mr. Logan stated, yes, water quality basins will be planted. The seed mix is listed in Table 3 there are two seed mixes listed in the report. They want them to be heavily planted so won't be issues with invasives.

Commissioner Kulpa asked about the discussion with Mike regarding the structure at the end of the cul de sac.

The soil concentrators versus the water quality basins ... Mr. Dibacco stated that Michael was going to defer to what DEEP would come up with. He didn't want to argue with them. He is looking at it from a maintenance issue.

Vice Chairman Owen had several questions: Where is 10,000 S.F. of wetlands to be added? Where are the conservation easements? Are there still discussions going on?

Mr. Logan showed them on the map and explained what they were planning to do. They will be removing the fill and restoring the wetland.

Mr. Dibacco stated that the map doesn't incorporate all changes from the October 16th meeting, but all issues have been addressed. The town doesn't have any interest in taking any conservation easements. They don't want the responsibility of the maintenance or the liability.

Commissioner Kulpa asked if they can relocate the southern quality basin to the east and not toward the adjacent lot/property.

Mr. Logan stated that it doesn't matter to him. The sewer is deep enough so it shouldn't make a difference.

Commissioner Kulpa stated that in that area they might want to look at the contour labeling in the water quality basin area and revise it.

Regarding the silt fence on lot 12 heading southwest across 13 and 15, look at the silt fence to make sure it's down gradient of the development of those lots and revise accordingly. The sewer near line 3 (?) goes down pretty deep. The water discharge for that if you could add a temporary settling basin.

Revisit the notes on Sheet 13 to specify Town of Wethersfield.

The report recommendations are great. Can they incorporate them into the plan sheets?

Mr. Moisa stated that during the meeting, they also discussed the placement of the conservation easements and the practicality of having them across such small lots.

Motion by Commissioner Herold to continue the application hearing, seconded by Commissioner Buck.

All voted in favor, motion passed.

PUBLIC MEETING

Application No. 665-15 E/S The MDC, Hewitt St., Maple St., Mill St., Middletown Ave.
Application for the installation of a sanitary sewer relief pipe within a regulated area.

Jason Waterbury PE, Project Manager, of the Metropolitan District Commission presented the application. These are key projects for the clean water project. There was a consent decree back in 2006. The consent decree is driving both of the projects. It spoke to the closure of seven structural sanitary sewer overflows in addition to non-structural sanitary sewer overflows. There is one sanitary sewer overflow that has not been closed that is within the Rocky Hill Water Pollution Control Sewer Shed. That sewer shed covers all of Rocky Hill and 2/3 of Wethersfield. That overflow is located at Goff Brook. The project to close the overflows and control surcharging is comprised of four key components:

1. I&I reduction – the goal is 20% reduction.
2. Cleaning sewers.
3. Capacity improvements.
4. Treatment Plant.

They identified four milestone projects. The Goff Brook closure and the expansion of the treatment plant overall are two of the four milestone projects. Per the EPA, both have to be done by January 3, 2018.

Eric Muir, PE, CH2M Hill, represented the applicant. They will be getting flow to the treatment plant and will mitigate overflow to Goff Brook. They will install a new sanitary sewer. A picture of the entire project was shared. There will be a new 30" sanitary sewer at Maple and Mill, then to a 48" sewer. The treatment plant is currently under construction. They plan to be done by the end of 2017. There will be upstream (in Wethersfield) and downstream (in Rocky Hill) crossings of the wetlands. They will be following CT E&S guidelines for the crossings. They will put back native wetlands soil. This will be a temporary impact of .02 acres of wetlands at Goff Brook Crossing. They will be building new sanitary sewers in the street - not in the wetlands on Middletown Avenue.

Commissioner Sanzaro asked for start/end dates.

Mr. Muir stated that the project will start in 2016 and it they have to be done by the end of 2017.

Commissioner Buck asked if this would eliminate the spouting manholes on the Silas Deane Highway.

Mr. Muir responded yes.

Commissioner Buck also asked what kind of pipe material they would be using.

Mr. Muir responded that it is a fiberglass type pipe that is strong enough to be pushed in through tunnels.

Commissioner Kulpa asked, will the fill be left in the work area or loaded into trucks?

Mr. Muir responded that there will be no stockpiling anywhere, everything will be brought off-site. It is in the contract documents that it will not be on-site.

Commissioner Kulpa asked about the dewatering settlement tanks, are the contractors to size those, could it be a series of them?

Mr. Muir responded that he would start at the downstream end. They purposely limited the amount of space that he has access to.

Commissioner Buck asked if the new construction will be replacing old sewers or is it all a bypass?

Mr. Muir stated that they will all be new and they will be much deeper than the old sewers.

Bob Woodward, 456 Middletown Avenue, voiced concerns:

1. There are still dump trucks running on Middletown Avenue and Mill Street. How will they mesh with the new project?

Mr. Muir responded that they are just about done and they are winding down. The current project will slow down before this project gears up.

2. Mill Street to Middletown Avenue is in terrible shape. They should dig it up and replace it.

Mr. Muir responded that the Engineering Department will be keeping track of the pavement conditions.

3. They should talk to the neighborhood regarding trash, mail delivery, school bus schedules, etc. so they can co-exist peacefully.

Mr. Waterbury responded that they are very good at coordinating with bus companies, residents, etc. They will know well in advance of construction and there will be public outreach meetings.

Motion by Commissioner Ambrose to Approve the application as a Summary Ruling, seconded by Commissioner Buck.

All voted in favor, motion passed.

The Erosion and Sedimentation Control Plan was Certified.

Application No. 666-15 E/S The MDC, Land of Joseph Tabshev, John Palazzo, Thomas Nowak, Parcel #305-003, 305-008 Application for upgrading an existing pipe by cured in place pipe lining within a regulated area.

Eric Muir, PE, CH2M Hill, represented the applicant. This is EPA consent order driven. There was a previous application on this same ROW as a tree clearing project, which has been completed. The treatment plant is being upgraded and they need additional capacity now. There is a 48" pipe and a 36" pipe which was not being used coming out of the plant to the Connecticut River. They now need this 36" pipe to increase the capacity. They will use a cured in place pipe lining method on the existing 36" pipe. They put through either steam or water. They will put timber mats down for access to drive over and they will follow CT E&S guidelines.

Vice Chairman Owen asked about the DEEP and bird nesting and a date for the project.

Mr. Muir responded that they will hire someone to do a survey before the work starts. They are not sure when they will start – it will depend on the results from the survey – but they are looking at somewhere in the timeframe of September to March.

Commissioner Kulpa stated that most applications are upstream from the plant and you can release the water downstream for curing, what happens with returning water?

Mr. Muir responded that they are making them suck it up and haul it back to the treatment plant. The other option they have is steam cure it, but they still have to scoop up the water.

Motion by Commissioner Buck to Approve, seconded by Commissioner Kulpa.

All voted in favor, motion passed.

MODIFICATION to Application No. 608-11 Great Meadow Rd. Associates, Land of Great Meadow Road Associates, Parcel #286-001 Application for site work related to a full service kitchen addition, seasonal bar and outdoor seating within a regulated area.

Kevin Johnson, Close, Johnson & Miller, represented the applicant. A plan revision was handed out. There was a previous Inland wetlands approval in 2011 for an outdoor dining area. This is a modification to that application to add an elevated deck on the rear of the building. All previously approved improvements would remain. There will be four columns and stairs in the flood plain. There will be 1.02 cubic yards of fill. They currently have 41.05 cubic yards of excess cut, which will now be reduced by 1.02 to 40.03.

There is no net loss of flood storage and they still have excess from the 2011 application.

Commissioner Buck asked what they will do to hold up the piers.

Mr. Johnson responded that is a structural issue and they don't know yet. They have a Structural Engineer working on that currently.

Motion by Commissioner Herold to Approve the Modification as part of Application No. 608-11, seconded by Commissioner Owen.

GENERAL BUSINESS

1. Approval of Minutes - July 15, 2015
(LS, JK, LM, DA, LB, BD, MZ, DH)

Motion by Commissioner Ambrose seconded by Commissioner Herold(?) to Approve the minutes as presented.
All Commissioners present at the meeting voted in favor. Motion passed.

Approval of Minutes – September 16, 2015
(BO, DH, DA, LB, BD)

Motion by Commissioner Buck seconded by Commissioner Herold to Approve the minutes as presented.
All Commissioners present at the meeting voted in favor. Motion passed.

2. Correspondence (No Action Required)

- a. “Pollution Prevention View” newsletter.

3. Commissioner Sanzaro suggested that Don send out an email reminder for upcoming meetings. If a Commissioner is unable to attend, they should respond to the email.

ADJOURNMENT

Chairman Sanzaro Adjourned the meeting at 9:15 pm

I hereby certify that the above is a true copy of the minutes approved by the Inland Wetlands & Watercourses Commission.

Don Moisa, Wetlands Agent

Date